

regulations. From those proposals meeting EDA's technical and legal requirements, EDA will select proposals for further consideration based on:

- (1) The availability of funds; and
- (2) The competitiveness of the proposals, judging by the criteria and priorities set forth in §301.8; and
- (3) The applicable FFO.

(b) EDA will endeavor to notify proponents regarding whether their proposals are selected as soon as practicable.

#### **§ 301.10 Formal application requirements.**

(a) *General.* For Projects selected from successful proposals, EDA will invite the proponents to submit a formal application for Investment Assistance. The appropriate regional office will provide application materials and guidance in completing them. The applicant will generally have thirty (30) days to submit the completed application materials to the applicable regional office. EDA staff will work with the applicant to resolve application deficiencies.

(b) *Formal application.* Each formal application for EDA Investment Assistance must:

(1) Include evidence of applicant eligibility (as set forth in §301.2) and of economic distress (as set forth in §301.3);

(2) Identify the sources of funds, both eligible federal and non-EDA, and In-Kind Contributions that will constitute the required Matching Share for the Project (*see* the Matching Share requirements under §301.5); and

(3) For construction Projects under parts 305 or 307 of this chapter, include a CEDS acceptable to EDA pursuant to part 303 of this chapter or otherwise incorporate by reference a current CEDS that EDA approves for the Project. The requirements of the preceding sentence shall not apply to:

(i) Strategy Grants, as defined in §307.3 of this chapter; and

(ii) Projects located in a Region designated as a Special Impact Area pursuant to part 310 of this chapter.

## **PART 302—GENERAL TERMS AND CONDITIONS FOR INVESTMENT ASSISTANCE**

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- 302.1 Environment.
- 302.2 Procedures in disaster areas.
- 302.3 Project servicing for loans, loan guarantees and Investment Assistance.
- 302.4 Public information.
- 302.5 Relocation assistance and land acquisition policies.
- 302.6 Additional requirements; federal policies and procedures.
- 302.7 Amendments and changes.
- 302.8 Pre-approval Investment Assistance costs.
- 302.9 Inter-governmental review of Projects.
- 302.10 Attorneys' and consultants' fees; employment of expeditors and administrative employees.
- 302.11 Economic development information clearinghouse.
- 302.12 Project administration, operation and maintenance.
- 302.13 Maintenance of standards.
- 302.14 Records and audits.
- 302.15 Acceptance of certifications by Eligible Applicants.
- 302.16 Reports by Recipients.
- 302.17 Conflicts of interest.
- 302.18 Post-approval requirements.
- 302.19 Indemnification.
- 302.20 Civil Rights.

AUTHORITY: 19 U.S.C. 2341 *et seq.*; 42 U.S.C. 3150; 42 U.S.C. 3152; 42 U.S.C. 3153; 42 U.S.C. 3192; 42 U.S.C. 3193; 42 U.S.C. 3194; 42 U.S.C. 3211; 42 U.S.C. 3212; 42 U.S.C. 3216; 42 U.S.C. 3218; 42 U.S.C. 3220; 42 U.S.C. 5141; Department of Commerce Delegation Order 10-4.

SOURCE: 70 FR 47019, Aug. 11, 2005, unless otherwise noted.

### **§ 302.1 Environment.**

EDA will undertake environmental reviews of Projects in accordance with the requirements of the National Environmental Policy Act of 1969, as amended (Pub. L. 91-190; 42 U.S.C. 4321 *et seq.*, as implemented under 40 CFR Chapter V) ("NEPA"), and all applicable federal environmental statutes, regulations and Executive Orders. These authorities include the implementing regulations of NEPA requiring EDA to provide public notice of the